

U.S. Senator Mark Begich

Remarks Delivered to:

*4th Symposium on the Impacts of an Ice-Diminishing Arctic
on Naval and Maritime Operations*

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Thank you, Dr. Clemente-Colon, for that introduction and your invitation to participate in this symposium on the implications of the changing Arctic.

You've gathered an impressive line-up of experts, including both US officials and those of other Arctic nations. I'm pleased to be part of this important discussion.

Any Alaskan can tell you that our state is "Ground Zero" for climate change.

We are seeing rapid changes in the Arctic, including sea-ice that is disappearing faster than scientific models predict.

The opening of this "Fifth Ocean" has broad implications for our Navy and Coast Guard.

As retired Admiral Thad Allen once put it, there's now a lot more open water there and we're responsible for it.

I will work with you to make sure our nation is prepared to fulfill that responsibility and address the implications for national security, energy development, increased marine shipping and tourism, and baseline environmental research.

For my state, the changing Arctic has broad implications.

Open seas are eroding our coastline and undercutting villages. Warmer temperatures are thawing permafrost and changing the migration patterns of fish and marine mammals on which the indigenous residents of the Arctic subsist.

Much research is taking place in the Arctic but we need to better understand the impacts of this change.

The diminishing Arctic ice pack could open new grounds to commercial fishing, presenting challenges to protect fish stocks we know little about.

That's why I've suggested working with other Arctic nations to proactively close commercial fishing activity in international waters in the Arctic until we have management plans in place.

This is needed to ensure the sustainability of these resources and not impact the subsistence needs of people in the region.

Our North Pacific Fishery Management Council took similar action within our Exclusive Economic Zone. But since fish aren't known to respect political boundaries, we need the cooperation of other Arctic nations to make this truly effective.

The diminishing icepack is also opening vast new areas to oil and gas exploration.

The Beaufort and Chukchi seas contain an estimated 28 billion barrels of oil – almost twice as much as has already been produced from the North Slope – and some 38 trillion cubic feet of natural gas.

I am pleased President Obama recently supported my push to start utilizing Alaskan resources to support America's energy needs.

We look forward to lease sales in the National Petroleum Reserve-Alaska, and greater coordination of permitting by federal agencies. But we need to ensure we are proceeding carefully, safely, and that our communities are fully prepared.

Oil and gas development in the Arctic will take years but we need to start planning now.

That's why I've introduced my package of legislation to address Arctic needs.

Among other things, the bills would significantly expand the resources available, through changes to the Oil Spill Liability Trust Fund. This would fund more science to research oil spill response prevention in Arctic conditions and better understand baseline Arctic environmental conditions.

We need to ensure the Coast Guard, NOAA, and others have the infrastructure and equipment they need.

As we look toward expanded activity in the Arctic, we need to provide the full range of services we expect elsewhere in our nation. This means asserting our national interests, guarding our borders, protecting life, safety and the environment and ensuring safe commerce.

It also means forecasting the weather, all in a region where the climate can be harsh, the infrastructure is sparse and the logistics demanding.

To achieve these goals, we need to improve our ice-capable response and fund research ships, aircraft support on the North Slope, and scientific instrumentation appropriate for remote Arctic locations.

Funding for a new ice-capable Alaska Region Research Vessel is good step in that direction. But more broadly, we need to address the recapitalization needs of the Coast Guard and NOAA fleets.

And specifically the nation's critical lack of ice-breaking capability.

The premature decommissioning of the *Polar Sea* due to engine failure highlights the problem with extending the service of critical assets well beyond their design life.

Refitting the *Polar Star* may be a short-term solution to maintain an Arctic icebreaking presence. But we need a broader strategy to ensure we can maintain our national presence in Arctic waters.

I also believe it's time to consider the appointment of an American Arctic ambassador to better coordinate national and international Arctic policy for the U.S.

I suggest this with full appreciation of the work and dedication of those who have represented us before the Arctic Council and other forums in the past.

I also appreciate the Administration's heightened interest in the Arctic, as demonstrated by the participation of Secretaries Clinton and Salazar at the recent Arctic Council ministerial in Greenland.

But I believe the United States needs equal standing with other nations, most of which are represented by ambassador-level diplomats and the stature to exercise leadership and vision in Arctic policy.

Lastly, the most important single step our nation needs to take for the future of the Arctic is ratification of the United Nations' Convention on the Law of the Sea.

Even while we have abided by its terms, the United States is among a handful of nations – including the likes of Libya, Iran and North Korea – which have not ratified the Law of the Sea.

As I did two years ago, I again urge the administration to send the Law of the Sea to the Senate.

And let's talk about why.

Not that many of you here today need to be convinced but let's start framing the debate for when we talk to friends – and more importantly opponents – of ratification.

For this, I am indebted to Ambassador David Balton who has worked on these issues for years and outlined what's at stake for America at a recent presentation during Capitol Hill Oceans Week.

Let me paraphrase him:

First, the United States is the world's leading maritime power. Only as a party to the Convention can we make sure that observance of its rules will protect freedom of navigation to advance our commercial and national security interests.

Second, the United States has the world's largest Exclusive Economic Zone and adjacent continental shelf. Only as a party to the convention can we ensure respect for our rights as a coastal State and secure international recognition – with legal certainty – of the outer limits of our continental shelf. More on this in a moment.

Third, only as a party to the treaty can the United States make best use of the Convention's provisions on environmental protection to advance our agenda to protect the marine environment and manage ocean fisheries.

Fourth, only as a party can the United States exert full influence over the development of rules for mining the seabed beyond national jurisdiction and sponsor American companies interested in such mining activity.

Fifth, only as a party can the United States use the dispute settlement provisions of the Convention – which are both comprehensive and flexible – and help put Americans in seats on the Law of the Sea Tribunal.

Sixth, only as a party can the United States maximize our leadership and influence on international oceans issues under discussion within the Law of the Sea framework.

And seventh, only as a party can we hope to maintain the balance of interests reflected in the Convention. We can't rely on customary law to protect our rights from erosion.

Ironically, the only reason the U.S. did not become a party in the 1980s was due to our objections to one part of the Convention.

But the Implementing Agreement signed in 1994 addressed those objections in a manner which is satisfactory to our interests and legally effective.

All other Arctic nations are parties to the Law of the Sea Convention.

We are the odd ones out and this weakens our nation's ability to shape the future of the Arctic.

The Law of the Sea provides the basic framework for managing the emerging issues in the Arctic, including increased shipping, energy development, environmental protection, marine scientific research and determination of the outer limits of our continental shelf.

By last count, 56 nations have made submissions to the Continental Shelf Commission in support of their claims beyond 200 miles.

The Commission has issued 14 sets of recommendations to help set the outer limits of continental shelves and which are final and binding.

All of this is going on without U.S. participation.

Initial estimates indicate the U.S. may be eligible to claim an area beyond 200 nautical miles which is about twice the size of California.

That's huge, almost as big as Alaska!

While a state doesn't need to be a party to be entitled to continental shelf beyond 200 nautical miles, joining the Convention would secure our sovereign rights as a matter of law.

Without full title which U.S. companies are unlikely to engage in the exploration and exploitation of its resources.

For all these reasons, it is critical the United States ratify the Convention on the Law of the Sea. I again urge the Administration send this to the US Senate for debate and ratification.

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The coming years bring great challenges and opportunities to the Arctic.

The United States has a major role to play.

To fulfill that role and responsibility, we must address the broader policy implications of an ice-diminishing Arctic on the diplomatic, scientific and national security fronts.

We must make the needed investments to ensure the United States maintains its leadership at the top of our globe.

Of course, no such discussion can be made today without acknowledging the fiscal challenges facing our nation – and the world – today.

I believe the rewards of our work in the Arctic make the investment worthwhile and I will work with you for a positive future for the Arctic.

Best wishes for your work over the course of this symposium.